

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

EDWARD VAN HORN,

Plaintiff,

vs.

Case No. 12-CV-11880  
HON. GEORGE CARAM STEEH

JAMES S. WALTON, C. GOMEZ,  
FEDERAL BUREAU OF PRISONS,  
BARDSLY,

Defendants.

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ORDER ACCEPTING MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION [DOC. 14]

This matter came before the court on plaintiff Edward Van Horn's emergency motion for a temporary injunction. Plaintiff was an inmate at FCI Milan when he filed his civil lawsuit under 42 U.S.C. § 1983 alleging violations of his rights under the United States Constitution. In his pending motion, plaintiff asks the court to prevent prison staff from transferring him to another institution until his case is resolved. Plaintiff's motion for a temporary injunction was referred to Magistrate Judge Randon for report and recommendation.

Magistrate Judge Randon recommended that plaintiff's motion be denied because the authority plaintiff relied on to prevent his transfer does not apply to plaintiff's situation. In the meantime, plaintiff was transferred to another facility. Objections to the magistrate judge's report have not been filed by plaintiff within the established time period. The court has reviewed the file, record, and magistrate judge's report and recommendation. The court accepts the report and recommendation, and

orders that plaintiff's emergency motion for a temporary injunction be denied for the reasons given in the report and recommendation.

Accordingly,

IT IS HEREBY ORDERED that the magistrate's report and recommendation is accepted.

IT IS FURTHER ORDERED that plaintiff's emergency motion for a temporary injunction is DENIED.

Dated: August 21, 2012

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on August 21, 2012, by electronic and/or ordinary mail and on Edward Van Horn, #49115-019, L.S.C.I., Allenwood, P. O. Box 1000, White Deer, PA 17887.

s/Barbara Radke  
Deputy Clerk